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09/882,702	06/14/2001	Stefan Ivehammer	006559.00019	9351
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BANNER & WITCOFF, LTD. 1100 13th STREET, N.W. SUITE 1200 WASHINGTON, DC 20005-4051			SHELEHEDA, JAMES R	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/882,702	Applicant(s) IVEHAMMAR, STEFAN
	Examiner JAMES SHELEHEDA	Art Unit 2424

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(o).

Status

- 1) Responsive to communication(s) filed on 15 December 2008.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-4,6-9,11-15,17-24,28-32 and 39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-4,6-9,11-15,17-24,28-32 and 39 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/898)
 Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date _____
- 5) Notice of Informal Patent Application
- 6) Other: _____

DETAILED ACTION

Claim Objections

1. Claims 5, 10 and 16 are objected to because of the following informalities:

Claims 5, 10 and 16 are indicated as cancelled but have been provided with marked up claim text. No claim text shall be presented for any claim in the claim listing with the status of "canceled" or "not entered".

Appropriate correction is required.

Response to Arguments

2. Applicant's arguments with respect to claims 1-4, 6-9, 11-15, 17-24, 28-32 and 39 have been considered but are moot in view of the new ground(s) of rejection.

While applicant indicated that claim 5 was not addressed, it is noted that this claim was rejected on page 15 of the prior Office Action.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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4. Claim 1-4, 6, 7, 12-15, 17, 18, 23, 24, 28, 30-32 and 39 are rejected under 35 U.S.C. 102(b) as being anticipated by Ichihashi et al. (Ichihashi) (EP 757 485 A2) (submitted by applicant).

As to claims 1, 12, 23 and 39, Ichihashi discloses an apparatus (Fig. 1 and 4), and corresponding method and computer readable medium with processor (Fig. 4; column 10, line 57-column 11, line 55), comprising:

an information service module configured to provide teletext service in conjunction with a television programme service (column 9, line 35- column 10, line 4), the information service module being configured to provide link information in a teletext subtitle line (information selection screen showing available selectable information pages; Fig. 8; column 12, line 36- column 13, line 33), the link information being associated with a teletext page providing additional information relating to a current television programme (column 12, line 36-column 14, line 8),

a receiver configured to receive an acceptance signal related to the link information from a display controller (user highlighting and selecting the desired information link; column 13, lines 19-33); and

a display module configured to provide the teletext page for display in response to the acceptance signal (Fig. 9-10; column 13, line 196-column 14, line 8), wherein

the information service module is further configured to receive a user preference not to display the teletext subtitles during the display of the television programme service (column 11, line 48-column 12, line 13), the information service module being operable to override the user preference in response to detection of a code identifying

link information for display during display of the television programme service (command script overriding interactive mode preference; column 12, lines 8-13).

As to claims 2 and 13, Ichihashi discloses wherein the acceptance signal corresponds to a set of keystrokes on the display controller (column 13, lines 19-50).

As to claims 3 and 14, Ichihashi discloses wherein the keystroke set comprises less than four keystrokes (column 13, lines 19-50).

As to claims 4 and 15, Ichihashi discloses wherein the keystroke set comprises a single keystroke (decision key; column 13, lines 19-50).

As to claims 6 and 17, Ichihashi discloses wherein said information service module is further configured to highlight the link information (emphasizing the link selections; column 13, lines 19-50).

As to claim 7, Ichihashi discloses wherein the information service module is configured to distinguish link information from information which does not comprise a link to the information teletext service (column 12, line 50-column 13, line 5).

As to claim 18, Ichihashi discloses wherein the highlighting comprises causing the link information to flash periodically when displayed (column 20, lines 53-58).

As to claim 24, Ichihashi discloses a computer readable medium containing a program for performing the method of claim 12 when the program is run by a processor (Fig. 4; column 10, line 57-column 11, line 55).

As to claim 28, Ichihashi discloses a scanner configured to scan data received from the television program service for link information (column 11, lines 22-29).

As to claim 30, Ichihashi discloses at least one processor for processing the teletext service and the link information (column 10, line 57-column 11, line 55).

As to claim 31, Ichihashi discloses memory for storing the content of the teletext service (column 11, lines 22-38 and column 14, lines 8-15).

As to claim 32, Ichihashi discloses scanning data received from the television program service for link information (column 11, lines 22-29).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 11, 19 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ichihashi.

As to claim 11, while Ichihashi discloses a television programme service, he fails to specifically disclose the digital video broadcasting standard.

The Examiner takes Official Notice that it was notoriously well known in the art at the time of invention by applicant for a television system to utilize the digital video broadcasting standard, created by an industry-led consortium of over 270 broadcasters, manufacturers, network operators, software developers, regulatory bodies and others in over 35 countries committed to designing global standards for the global delivery of digital television and data services, for the typical benefit of conforming with a widely accepted television broadcasting standard.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Ichihashi's system to include the digital video broadcasting standard for the typical benefit of utilizing a well-known established method of providing additional information about a broadcast program.

As to claim 19, while Ichihashi discloses link information for teletext pages, they fail to specifically disclose wherein the link information comprises a page number.

The Examiner takes Official Notice that it was notoriously well known in the art at the time of invention by applicant to identify particular teletext pages by a page number so as to allow the viewer to easily differentiate and identify which teletext page includes the desired information.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Ichihashi's system to include wherein the link information comprises a page number for the typical benefit of distinguishing between multiple available teletext pages.

As to claim 29, Ichihashi discloses an apparatus according to claim 11, comprising at least one processor for processing the DVB service (column 10, line 57-column 11, line 55).

7. Claims 8, 9 and 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ichihashi in view of Bendinelli (6,061,719) (of record).

As to claims 8 and 20, while Ichihashi discloses wherein the information service is configured to distinguish the link information, he fails to specifically disclose an identification tag for distinguishing the link information from information which does not comprise a link.

In an analogous art, Bendinelli discloses a television distribution system (Fig. 3) which transmits television programming to a user (Fig. 3; column 5, lines 7-17) and link information (URL's) which are embedded into the television closed captioning (column 3, lines 36-53 and column 5, lines 7-17) and then displayed during the television program as normal closed captioning text (column 3, lines 36-53) wherein the link information includes identifying tags (brackets or other characters; column 3, lines 37-42) which is recognized to identify link (column 3, lines 37-42) for the typical benefit of

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allowing link information to be easily identified and utilized by the receiver (column 3, lines 36-53).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Ichihashi's system to include an identification tag for distinguishing the link information from information which does not comprise a link, as taught by Bendinelli, for the typical benefit of allowing link information to be easily identified and utilized by the receiver.

As to claim 9, Ichihashi and Bendinelli disclose wherein the information service module is arranged to display the link information in response to detection of a tag (see Ichihashi at column 11, lines 22-29 and Bendinelli at column 3, lines 36-42).

As to claim 21, Ichihashi and Bendinelli disclose wherein the tag comprises a non-display character (wherein the characters simply occur before and after the link to identify it; see Bendinelli at column 3, lines 36-42).

As to claim 22, Ichihashi and Bendinelli disclose displaying a subtitle line which includes tagged link information (see Ichihashi at column 12, line 50-column 13, line 5 and Bendinelli at column 3, lines 36-53).

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
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on _____.
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Typed or printed name of person signing this certificate:

Signature: _____

Registration Number: _____

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. ()____ - _____ on _____.
(Date)

Typed or printed name of person signing this certificate:

Signature: _____

Registration Number: _____

Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES SHELEHEDA whose telephone number is (571)272-7357. The examiner can normally be reached on Monday - Friday, 9:00AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James Sheleheda/
Examiner, Art Unit 2424

JS